



KISHNER | MILLER | HIMES P.C.

40 Fulton Street, 12<sup>th</sup> Floor  
New York, New York 10038  
Tel.: (212) 585-3425  
Fax: (888) 332-5658  
[www.kishnerlegal.com](http://www.kishnerlegal.com)

May 3, 2024

**By ECF**

Hon. John G. Koeltl  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Joseph Volfman v. East Third Restaurant Corp. d/b/a Whiskey Town, East Village Realty Co.*, 24-CV-02742 (JGK)(JLC)

Dear Hon. John G. Koeltl:

I am an attorney with Kishner Miller Himes P.C., and represent defendant East Third Restaurant Corp. d/b/a Whiskey Town (“Whiskey Town”) in the above-captioned action. On behalf of Whiskey Town, I write to respectfully request a 30-day extension of time to respond to the Complaint, from today to Monday, June 3, 2024. This is Whiskey Town’s first request for an extension and Plaintiff’s counsel consents to this request.

This afternoon, I spoke with Plaintiff’s counsel, Andre Autz, Esq., and informed him that Whiskey Town waives service of the Complaint. During the call, I also requested and Plaintiff communicated a settlement demand to resolve this action. The requested extension will give the parties an opportunity to explore a potential settlement of this action.

Accordingly, Whiskey Town respectfully requests a 30-day extension of time to respond to the Complaint, from today, May 3, 2024, to June 3, 2024.

Thank you for your consideration of this request.

Respectfully,  
/s/  
Carolyn E. Kruk, Esq.